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 Separate paging is given to this Part in order that it may be filed as a separate compilation.

PART V.

Bills introduced in the Council of State and Legislative Assembly, Reports of Select Committees presented to the Council and Assembly and Bills published under Rule 18 of the Indian Legislative Rules.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Bill was introduced in the Legislative Assembly on the 7th February, 1922 :—

No. 8 of 1922.

A Bill further to amend the Code of Civil Procedure, 1908.

WHEREAS it is expedient further to amend the Code of Civil Procedure, 1908; It is hereby enacted as follows :—

1. This Act may be called the Code of Civil
Short title. Procedure (Amendment)
Act, 192 .
2. For sub-rule (3) of Rule 4 of Order III in
Amendment of Rule the First Schedule to the
4 (3), Order III, Act V Code of Civil Procedure,
of 1908. 1908, the following shall be
substituted, namely :—
“(3) No legal practitioner entitled to practise
in any High Court or Chief Court shall
be required to present any document
empowering him to act”.
3. Section 10 of the Bombay Pleaders Act, Bom. Act
Amendment of sec- 1920, so far as it is in con- XVII of
tion 10 of Bombay Act flict with the provisions of 1920.
XVII of 1920. this Act, shall not apply to
the Vakils of the High Court.

STATEMENT OF OBJECTS AND REASONS.

The only object of the proposed amendment is to extend the privilege of appearing without a vakalatnama or power of-attorney to all legal practitioners of High Courts and Chief Courts, which had hitherto been enjoyed by Barristers and certain Advocates only.

ALLAHABAD,
The 19th December, 1921. }

GIRDHARILAL AGARWALA.

H. MONCRIEFF SMITH,
Secretary to the Government of India.

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee on the Bill further to amend the Indian Limitation Act, 1908, was presented to the Legislative Assembly on the 7th February, 1922 :—

WE, the undersigned, Members of the Select Committee to which the Bill further to amend

Paper No. I.—From the Honourable Lieutenant-Colonel A. B. Dew, C.S.I., C.I.E., I.A., Agent to the Governor General and Chief Commissioner in Baluchistan, No. 808-J., dated the 5th May, 1921.

From M. R. Ry. Diwan Bahadur R. Ramchandra Rao Avargal, Secretary to the Government of Madras, No. 570, dated the 18th June, 1921, and enclosures.

From N. G. A. Edgley, Esq., I.C.S., Registrar of the High Court of Judicature at Fort William in Bengal, Appellate Side, No. 3337-G., dated the 16th June, 1921.

From H. L. L. Allanson, Esq., I.C.S., Secretary to the Government of Bihar and Orissa, No. 375-J. A-7—J. T., dated the 25th June, 1921, and enclosure.

From Major C. T. C. Plowden, I.A., Secretary to the Resident in Mysore and Chief Commissioner, Coorg, No. 2133-205-07, dated the 25th June, 1921, and enclosures.

From A. Mellor, Esq., I.C.S., Secretary to the Government of Assam, No. 120-L., dated the 27th June, 1921, and enclosure.

From A. E. Nelson, Esq., O.B.E., I.C.S., Chief Secretary to the Government of the Central Provinces, No. C-361-80, dated the 27th June, 1921, and enclosures.

From the Honourable Mr. R. E. Holland, C.S.I., C.I.E., I.C.S., Chief Commissioner, Ajmer-Merwara, No. 1003, dated the 28th June, 1921, and enclosures.

From C. H. B. Kendall, Esq., I.C.S., Secretary to Government of the United Provinces, No. 959, dated the 28th June, 1921, and enclosures.

Paper No. II.—From R. Casson, Esq., I.C.S., Officiating Secretary to the Government of Burma, Legislative and Judicial Departments, No. 1328-L-39, dated the 14th June, 1921, and enclosure.

From the Honourable Mr. C. A. Barron, C.S.I., C.I.E., I.C.S., Chief Commissioner, Delhi, No. 4376-Legislative, dated the 4th July, 1921, and enclosure.

From J. Crerar, Esq., C.I.E., M.L.C., Secretary to the Government of Bombay, Home Department, No. 6743, dated the 9th July, 1921, and enclosures.

From V. Connolly, Esq., I.C.S., Home Secretary to the Government of the Punjab, No. 2704-S-J., dated the 9th July, 1921, and enclosures.

From the Honourable Sir John Maffey, K.C.V.O., C.S.I., C.I.E., Chief Commissioner, North-West Frontier Province, No. 1752-G.N., dated the 1st July, 1921.

From N. B. Gupta, Esq., C.I.E., Bar-at-Law, Officiating Secretary to the Government of Bengal, Judicial Department, No. 3168-J., dated the 30th July, 1921.

Paper No. III.—From P. C. Dutt, Esq., I.C.S., Acting Secretary to the Government of Madras, Law (General) Department, No. 3360-B-1, dated the 18th August, 1921.

Clause 2—We would omit this clause and, subject to what we say below, would leave section 5 of the Act as it stands. We think it would be dangerous to apply section 5 to all applications, for example, applications by a judgment-debtor to set aside a sale in execution of a decree, and applications by a decree-holder for execution of a decree. If section 5 were applicable to all such applications, there would be no finality in the processes of the Courts, and this would lead to a most undesirable result in all cases where title to property is involved. We think, however, that the words "made applicable by any enactment or rule for the time being in force" are, in so far as they refer to rules, vague, inasmuch as there is no definition of the term 'rule'. The intention no doubt is to refer to a statutory rule or a rule having the force of law, *e.g.*, rules contained in the Schedule to the Code of Civil Procedure, and, in particular, Order 22, Rule 9. We would, therefore, amend section 5 by substituting the words "by or under any enactment" for the words "by any enactment or rule."

the Indian Limitation Act, 1908, was recommended have considered the Bill and the papers noted in the margin, and have now the honour to submit this our Report, with the Bill as amended by us annexed thereto. Mr. D. R. Lyle has resigned his membership of the Assembly since the motion for recommitment was made; and the remaining members who have not signed the Report were prevented from attending the meeting of the Committee.

Clause 3.—We have carefully considered each section in Parts II and III of the Act for the purpose of deciding whether it should apply to periods of limitation prescribed by special or local laws or not. We think provision should be made that section 4, sections 9 to 18 and section 22 should apply, unless they are expressly excluded by the special or local law, and that the remaining provisions of the Act should not apply. This will, of course, not preclude amendments of special or local laws with a view to the application of such provisions. We have accordingly amended section 29 (2), which clause 3 of the Bill will insert in the Act, and we have re-drafted the opening words of the sub-section with a view to make the intention clearer.

2. We think that the Bill has not been so altered as to require re-publication, and we recommend that it be passed as now amended.

T. B. SAPRU.

W. H. VINCENT.

T. RANGACHARIAR.

N. M. SAMARTH.

C. KRISHNASWAMY RAO.

J. N. MUKHERJEE.

H. S. GOUR.

The 4th February, 1922.

[AS FURTHER AMENDED BY THE SELECT COMMITTEE.]

[Words printed in italics indicate the changes made by the Select Committee on re-commitment in the Bill as previously reported by the Committee.]

A Bill further to amend the Indian Limitation Act, 1908.

WHEREAS it is expedient further to amend the Indian Limitation Act, 1908; It is hereby enacted as follows :—

1. This Act may be called the Indian Limitation (Amendment) Act, 192 .

2. In section 5 of the Indian Limitation Act, 1908 (hereinafter referred to as the said Act), for the words "by any enactment or rule" the words "by or under any enactment" shall be substituted.

3. In section 29 of the said Act,—

Amendment of section 29, Act IX of 1908.

(a) for sub-section (1) the following sub-sections shall be substituted, namely :—

"29(1) Nothing in this Act shall affect section 25 of the Indian Contract Act, 1872.

Savings.

(2) Where any special or local law prescribes for any suit, appeal or application a period of limitation different from the period prescribed therefor by the first schedule, the provisions of section 3 shall apply, as if such period were prescribed therefor in that schedule, and for the purpose of determining any period of limitation prescribed for any suit, appeal or application by any special or local law—

(a) the provisions contained in section 4, sections 9 to 18, and section 22 shall apply only in so far as and to the extent to which, they are not expressly excluded by such special or local law; and

(b) the remaining provisions of this Act shall not apply," and

(b) Sub-sections (2) and (3) shall be re-numbered (3) and (4), respectively.

H. MONCRIEFF SMITH,
Secretary to the Government of India,

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

The following Report of the Select Committee appointed to consider the Legislative Assembly Standing Orders was presented to the Legislative Assembly on the 3rd February, 1922 :—

We, the undersigned Members of the Select Committee to which certain draft amendments of the Standing Orders were referred, have the honour to make the following Report :—

We have considered the draft amendments moved in the Assembly by the Honourable Sir William Vincent, Mr. Frank McCarthy, Rao Bahadur T. Rangachariar, Rai Sahib Lakshmi Narain Lal and Sir P. S. Sivaswamy Aiyer, and we have also examined numerous other suggestions for amendments emanating from members of the Assembly or Departments of the Government of India in respect of which no formal motions were made in the Assembly. For convenience we deal with the amendments in the order of the Standing Orders to which they relate.

Standing Order 7.—We have accepted the re-draft of this Standing Order proposed by the Honourable Sir William Vincent down to the end of 7 B(1). By a majority we have decided against the amendment suggested in the proposed Standing Order 7 B(2). This sub-order was intended to inaugurate a procedure by which a majority of the Assembly, with the permission of the President, could give priority on a non-official day to a Resolution which had not secured a place in the ballot for that day. We understand that this procedure was suggested as a substitute for the practice under which in the past Government has given time on official days for selected Resolutions of general public interest. Most of us think that this object, namely, of securing the discussion of a Resolution in which members are generally interested, should be capable of attainment under the Standing Orders as they are. If members are generally desirous that a particular Resolution should obtain time for discussion, their object can be secured by concentrating on that Resolution in one ballot. This would probably result in the particular Resolution obtaining an early place in the ballot, and its position could be secured if members earlier on the list would withdraw in its favour. We think that the tendency to co-operate in this manner might be weakened by introducing the priority procedure suggested in the draft Standing Order 7 B(2), and we have, therefore, omitted it. Our Honourable colleague, Sir William Vincent, made it clear to us that Government may not in the future be able to give time for non-official Resolutions.

We considered a suggestion by Sir Sivaswamy Aiyer that within five days of any ballot any two members might by agreement interchange their Resolutions on the list. We think that this would be objectionable and impracticable, and that members whose Resolutions had obtained an earlier place on the list than the Resolutions which would by Sir Sivaswamy Aiyer's proposal obtain precedence would have a justifiable grievance at this upsetting of the ballot result.

Rai Sahib Lakshmi Narain Lal's proposal to provide in Standing Order 7(2) that the President, with the consent of the Member of the Government concerned, may take up non-official business without a ballot on Government days was rejected by us. Rule 6 already enables non-official business to be taken on a Government day with the consent of the Government.

Standing Order 8.—We have accepted the proposed addition of sub-order (4) with some re-drafting in consequence of the decision to reject draft Standing Order 7 B(2).

Standing Order 9.—The same decision has necessitated a slight change in this draft amendment which otherwise we accept.

The Schedule—It is convenient to refer to the Schedule here as the amendments necessitated therein are consequent on the amendments which we propose to Standing Orders 7, 8 and 9. In substance we have accepted the amendments suggested in the Honourable Sir William Vincent's draft, but we have gone a little further in one respect. We think there is no reason

why a member, who has two or more Bills to introduce, should be prevented from introducing them on the same day. We would, therefore, enable such a member to take as many numbers in the Ballot lists as he has Bills to introduce, up to the number of three, and at the ballot to name a Bill for each number which he draws. We have re-drafted certain portions of the Schedule to give effect to this proposal.

Standing Order 11.—We have inserted the words “and signed by the member giving notice” after the word “Secretary” as proposed by Mr. Frank McCarthy.

Standing Order 15.—We have adopted the same member's draft amendment to this Standing Order. We do not think that questions should quote from newspapers or should mention the name of a newspaper.

Standing Order 18.—We do not think any amendment is required to this Standing Order, but our attention has been drawn to an Office Memorandum by the Department of Industries on the cost of producing the Official Report of Debates of the Legislative Assembly. We are not here concerned with the whole of that Memorandum, but solely with one item which makes a statement regarding the cost of certain Questions and Answers, to which we desire to draw the serious attention of the Legislative Assembly.

The five longest Answers given to Questions since the beginning of the first Session of the Legislative Assembly have cost the sum of Rs. 2,250; the most expensive of them costing no less than Rs. 900 itself. The five Questions referred to are the following :—

	Approximate cost. Rs.
(1) <i>Question 89, Delhi Session—</i> Loss by sale of Reverse Councils, 50 pages, mainly in tabular form	900
(2) <i>Question 345, Simla Session—</i> Enhancement of railway freights, 46 pages, mainly in tabular form	700
(3) <i>Question 160, Simla Session—</i> Recommendations of the Indian Jails Committee, 28 pages	350
(4) <i>Question 61, Simla Session—</i> Purchase of Railway Wagons in America, 20 pages	250
(5) <i>Question 559, Simla Session—</i> Indian Forest Service, 20 pages	250

On account of the excessive length and of the most serious burden of labour which the answering of such questions must cast on Departments of Government, and also on account of the large expense incurred in printing them, we are of opinion that measures should be taken to prevent the use of the Question paper of the Assembly for purposes of this kind. We consider that the purposes themselves are legitimate, but that they do not come within the proper function of a Parliamentary Question. We, therefore, think that the President would be justified in applying a strict interpretation of Standing Order 16 to Questions and Answers of this character.

We do not at present attempt to prescribe any procedure to meet the difficulty which might arise by the exclusion of such Questions under the discretion of the President. The House of Commons possesses a method—that of moving for a Return—by which information of a lengthy, intricate or expensive character is supplied, separately, in a White Paper or Blue Book. It is for consideration whether a procedure of this kind should or should not be adopted by the Legislative Assembly. The only opinion which we express here, is that some method of this kind is necessary to obviate such gross excrescences as that which appears as the Appendix to Volume I, Part I of Legislative Assembly Debates.

We do not approve the proposal by Rai Sabib Lakshmi Narain Lal to substitute for Standing Orders 17 to 20 a bare direction that written Answers shall be circulated to members. We think that most, if not all, of the difficulties which arise out of the question procedure could be obviated if members would take the trouble to acquaint themselves with the provisions of the Rules and Standing Orders on the subject, and particularly with rule 7, which enables the President to disallow a Question on the ground that it relates to a matter which is not primarily the concern of the Governor General in Council.

Standing Order 19.—We have made an amendment here which will enable the President to direct, at the request of any member, that the answer to a starred question be given. We would not go to the length of Rao Bahadur T. Rangachariar's proposal to require the member making such request to have written authority from the member who is absent.

Standing Order 23.—We have adopted here the amendment proposed in the Honourable Sir William Vincent's motion. We do not consider that there is any ground whatever for

making any of the amendments suggested by Rai Sabib Lakshmi Narain Lal and Sir Sivaswamy Aiyer in connection with the procedure for motions for an adjournment of the House.

Standing Order 25.—The amendments put forward by Mr. Frank McCarthy have in a modified form been adopted by us. We agree that a count should only be taken on demand, and that a second count should not be taken within an hour.

We have considered the series of amendments proposed by Sir Sivaswamy Aiyer which he would introduce in the form of new Standing Orders after Standing Order 30. We recognise that Sir Sivaswamy Aiyer has devoted considerable care and attention to the matters to which his amendments relate. But we think that they are matters which should be the subject of practice and precedent, and that they should not be introduced into the body of the Standing Orders. We are of opinion that his proposals would introduce a degree of rigidity into the procedure of the Assembly which is undesirable. There is at present a certain amount of elasticity which tends towards smooth working. Therefore, apart from numerous defects of drafting which the proposals contain, we do not think that they should be given effect to. We have, however, taken up in another form one suggestion of his, the object of which is to enable any member to adopt a motion put down in the name of an absent member. We think, however, this should be confined to Resolutions only, and that in every case the member proposing to adopt a Resolution should have written authority from the member who gave notice thereof, and that the President should have discretion even then to refuse permission to move. This alteration we have introduced by an amendment of Standing Order 61(2).

Standing Order 31.—The draft amendments proposed by the Honourable Sir William Vincent and Mr. Frank McCarthy both invite attention to the fact that this Standing Order is too rigid. We have attempted to examine all the cases in which a motion raising substantially the same question as another motion on which the Assembly has given a decision might not only be permissible, but might also be necessary. We have collected these cases into the proviso which we propose to add to Standing Order 31. We think the proviso exhausts the circumstances in which repetition should be permissible.

Standing Order 32.—We propose an amendment here to make it clear that the mover of an amendment, whether to a Resolution or to a Bill, has no absolute right of reply. We think discretion in the matter should be left in the hands of the President.

Standing Order 33.—We regard as unnecessary and undesirable the additions which Sir Sivaswamy Aiyer has proposed to this Standing Order. We do not agree to his amendments to Standing Order 37.

Standing Order 34.—Question has frequently arisen at meetings of the Assembly as to the position of a mover's right of reply when the closure is moved and carried. As the Standing Order is framed at present, we think there is no doubt that, when a motion for a closure is carried, any subsisting rights of reply have gone. We propose, therefore, that the President should have discretion to allow a right of reply after the closure is carried. We have re-drafted sub-order (3) in order to make its intention clearer.

Standing Orders 38, 39 and 40.—Various amendments have been proposed in these Standing Orders with a view to remove the doubts that have existed as to whether a Select Committee must be nominated by the same motion which refers the Bill to the committee. We have adopted the amendments of which notice was given by the Honourable Sir William Vincent to Standing Orders 38 and 40. These provide that, where a reference to a Select Committee is the result of a substantive motion, the committee should be appointed at the time, but where the motion for reference is by way of an amendment to a motion that a Bill be taken into consideration, then the appointment of the committee can be postponed to a subsequent meeting. We agree that as the Standing Order lays down that the Law Member, if a member of the Assembly, and the Member of the Government in charge must be members of the Select Committee, it is unnecessary that their names should be included in the motion.

Standing Orders 54 to 57.—We consider that steps should be taken at some time to make the amendment of the Standing Orders a far more deliberate proceeding than it is at present. It is a matter that should not be taken up light-heartedly. At the same time we are not prepared to put forward proposals at present with this end in view. We have contented ourselves with extending the period of notice required by Standing Order 54 from ten days to one month instead of 20 days suggested by Mr. Frank McCarthy.

Standing Order 59.—The amendment we propose here is intended to enable the President to deal with Resolutions of an omnibus character. We understand that many Resolutions of which notices are now received contain several issues, and the President will be in a position to disallow these, unless he is of opinion that they contain substantially one definite issue.

Standing Order 61.—The amendment made in this Standing Order has already been explained above.

Standing Order 62.—This Standing Order as drafted does not enable the President to extend the time for the speech of a mover of a Resolution or of a Member of the Government though other speeches can be extended with the President's permission beyond the fifteen

minutes which the Standing Order allows. We have, therefore, provided for some elasticity in this matter.

Standing Order 72.—Sir Sivaswamy Aiyer proposed that the Assembly should be given power to suspend the operation of any of the Standing Orders at any time. We think this would be dangerous. The original Standing Orders have provided in numerous places that the President has discretion to suspend a particular Standing Order, and we have not discovered any case in which the absence of that discretion has been inconvenient, except with regard to Standing Order 72. We have, therefore, proposed an amendment here.

Standing Order 75.—We have adopted the amendment put forward by Mr. Frank McCarthy.

We do not think we need discuss in detail the numerous other amendments put forward. To a large extent the amendments were aimed at introducing a cast-iron procedure without any power of relaxation. We think the business of the Assembly would be seriously hampered if the various periods of notice suggested were laid down and could in no case be departed from. We do not approve of the suggestion that pending notices of Resolutions and Questions should be carried on from Session to Session. This would involve a large amount of fruitless labour and expense in the office of the Assembly. Sir Sivaswamy Aiyer's amendments to Standing Orders 37 and 38 would, in our opinion, have the same effect of introducing an undesirable rigidity in the procedure. His amendment to Standing Order 40 goes far beyond the Standing Order of the House of Commons, and would introduce a dangerous latitude in the scope of a Select Committee's duties.

We have introduced a new Standing Order 76 to enable the President to delegate his powers under the Standing Orders to the Deputy President. At present the Deputy President has no powers except when actually presiding at meetings of the Assembly. Circumstances might arise to prevent the President from exercising the numerous functions which devolve on him outside the Chamber, and we consider it desirable that provision should be made for the carrying on of these functions by the Deputy President. We think that there are functions of the President under the Rules (notably his power under Rule 7) which might suitably be delegated to the Deputy President; but we think it would be more suitable if this provision were made by an amendment of the Rules themselves.

We recommend that the amendments made by us be passed by the Assembly.

A. F. WHYTE,

Chairman.

T. B. SAPRU.

P. GINWALA.

C. S. SUBRAHMANYAM.

ABUL KASEM.

P. L. MISRA.

W. H. VINCENT.

G. G. SIM.

JAMSETJEE JEJEEBHROY.

DELHI;

The 2nd February, 1922.

AMENDMENTS OF STANDING ORDERS SUGGESTED BY THE SELECT COMMITTEE.

1. For Standing Order 7 the following Standing Orders shall be substituted, namely :—

“ 7. On days allotted for the transaction of Government business the Secretary shall arrange that business in such order as the Governor General in Council may direct.

7A (1) The relative precedence of notices of Bills given by non-official members shall be determined by ballot to be held, in accordance with the procedure set out in Schedule I, on such day, not being not less than fifteen days before the day with reference to which the ballot is held, as the President may direct :

Provided that the President may, from time to time, make such variations in the said procedure as he may consider necessary or convenient.

(2) On a day allotted for the disposal of non-official Bills, Bills which have already been introduced by non-official members of either Chamber shall have priority over all other business, provided that any notice required by the Rules or Standing Orders has been given, and such Bills shall have relative precedence in the following order, namely :—

- (a) Bills introduced in the Assembly in respect of which the next stage is the presentation of the Report of a Joint or Select Committee ;
- (b) Bills passed by the Council in respect of which the originating Chamber was the Assembly ;
- (c) Bills introduced and passed in the Council ;
- (d) Bills introduced in the Assembly in respect of which a motion has been carried that the Bill be taken into consideration ;
- (e) Bills introduced in the Assembly in respect of which the Report of a Joint or Select Committee has been presented ;
- (f) Bills which have been circulated for the purpose of eliciting opinions ; and
- (g) Other Bills.

(3) The relative precedence of Bills falling under the same clause of sub-order (2) shall be determined by ballot, to be held at such time and in such manner as the President may direct :

Provided that Bills falling under clause (g) which remain over from the preceding Session shall, subject to the provisions of sub-order (2) of Standing Order 4, have priority over other such Bills in the order of the date of their introduction.

7B. The relative precedence of notices of resolutions given by non-official members shall be determined by ballot, to be held, in accordance with the procedure set out in Schedule I, on such day, not being not less than fifteen days before the day with reference to which the ballot is held, as the President may direct :

Provided that the President may, from time to time, make such variations in the said procedure as he may consider necessary or convenient.”

2. In Standing Order 8—

(a) in sub-order (3) for the words “ No business ” the words “ Save as otherwise provided by the Rules or Standing Orders, no business ” shall be substituted ; and

(b) after sub-order (3) the following sub-order shall be added, namely :—

“ (4) Not more than five resolutions (in addition to any resolution which has been commenced on, and is outstanding from, a previous day) shall be set down in the list of business for any day allotted for the disposal of non-official resolutions.”

3. For Standing Order 9 the following Standing Order shall be substituted, namely :—

“ 9. Non-official business set down for any day and not disposed of on that day shall not be set down for any subsequent day, unless it has gained priority at the ballot held with reference to that day :

Provided that, notwithstanding anything contained in Standing Orders 7A and 7B, any such business which has been commenced shall be set down for the next day allotted to business of that class, and shall have precedence over all other business set down for that day.”

4. For clause 1 of Schedule I the following shall be substituted, namely :—

“ 1. Not less than seventeen days before each day allotted for the disposal of non-official business, the Secretary will cause to be placed in the Assembly Office a numbered list. This list will be kept open for two days, and during those days and at hours when the office is open, any member who wishes to give or has given notice of a resolution, or has given notice of a Bill, as the case may be, may have his name entered, in the case of a ballot for resolutions, against one number only, or, in the case of a ballot for Bills, against one number for each Bill of which he has given notice up to the number of three.

5. In clause 2 of Schedule I for the words “on the third day a ballot” the words “the ballot”, and for the words “at which” the word “and”, shall be substituted

6. In clause 4 of Schedule I after the words “all the numbers” the words “or, in the case of a ballot for resolutions, five numbers” shall be inserted.

7. For clause 5 of Schedule I the following shall be substituted, namely :—

“ 5. Priority on the list will entitle the member to have set down, in the order of his priority for the day with reference to which the ballot is held, any Bill or any resolution, as the case may be, of which he has given the notice required by the Rules or Standing Orders :

Provided that he shall then and there specify such Bill or Bills or such resolution.

8. Clauses 6 and 7 of the Schedule shall be omitted.

9. In Standing Order 11 after the word “Secretary” the words “and signed by the member giving notice” shall be inserted.

10. In Standing Order 15 the word “and” at the end of clause (5) shall be omitted and shall be re-inserted at the end of clause (6), and after clause (6) the following clause shall be added, namely :—

“(7) It shall not quote anything from a newspaper or mention the name of a newspaper.”

11. In Standing Order 19 for the words “the member to whom the question is addressed” the words “any member” shall be substituted, and the words “on the ground of public interest” shall be omitted.

12. In Standing Order 23 after the words “at 4 P.M.”, the following words shall be inserted, namely :—

“or, if the President with the consent of the member of the Government concerned so directs, at any earlier hour at which the business of the day may terminate.”

13. In Standing Order 25—

(a) after the word “count” the words “being demanded by a member” shall be inserted, and

(b) the following proviso shall be added, namely :—

“Provided that no demand for a count to ascertain the presence of a quorum shall be made within one hour of any previous count.”

14. To Standing Order 31 the following proviso shall be added, namely :—

“Provided that nothing in this Standing Order shall, unless the President in any case otherwise directs, be deemed to prevent the making of any of the following motions, namely :—

(a) a motion for the taking into consideration or the reference to a Select Committee of a Bill, where an amendment has been carried to a previous motion of the same kind to the effect that the Bill be circulated or re-circulated for the purpose of eliciting opinions thereon ;

(b) any motion for the amendment of a Bill which has been re-committed to a Select Committee, or re-circulated for the purpose of eliciting opinions thereon ;

(c) any motion made as the result of a conference under rule 40 ;

(d) any motion for the amendment of a Bill made after the return of the Bill by the Governor General for re-consideration by the Assembly ;

(e) any motion for the amendment of a Bill which is consequential on, or designed merely to alter the drafting of, another amendment which has been carried ;

(f) any motion which has to be or may be made within a period determined by or under the Rules or Standing Orders.

15. To sub-order (8) of Standing Order 32 the following proviso shall be added, namely :—

“Provided that nothing in this sub-order shall be deemed to give any right of reply to the mover of an amendment to a Bill or a resolution, save with the permission of the President.”

- 16.** For sub-order (3) of Standing Order 34 the following shall be substituted, namely :—
 “ (3) Where a motion is made under sub-order (1), or a request is made under sub-order (2), the motion, and, if it is carried, the question, or, as the case may be, the question, shall be put without amendment or debate :
 Provided that the President may allow any member any right of reply which he may have under these Standing Orders.”
- 17.** In clause (b) of sub-order (1) of Standing Order 38 the words “ composed of such members of the Assembly as he may name in his motion ” shall be omitted.
- 18.** In Standing Order 40—
 (a) to sub-order (1) the words “ and it shall not be necessary to include their names in any motion for appointment of such a Committee ” shall be added ; and
 (b) in sub-order (2) after the words “ is made or ” the words “ in the case of a motion made by way of amendment under clause (a) of sub-order (2) of Standing Order 39 ” shall be inserted.
- 19.** In sub-order (1) of Standing Order 54 for the words “ ten clear days ” the words “ one month’s ” shall be substituted.
- 20.** In clause (a) of the proviso to Standing Order 59 for the word “ a ” the words “ substantially one ” shall be substituted.
- 21.** For sub-order (2) of Standing Order 61 the following shall be substituted, namely :—
 “ (2) If the member when called on is absent, any other member authorised by him in writing in this behalf may, with the permission of the President, move the resolution standing in his name. But if no member has been so authorised or such permission is not granted, the resolution shall be deemed to have been withdrawn.”
- 22.** To the proviso to Standing Order 62 the following shall be added, namely :—
 “ or for such longer time as the President may permit.”
- 23.** For Standing Order 72 the following shall be substituted, namely :—
 “ If notice of a motion to omit or reduce any grant has not been given two clear days before the day on which the demand is to be considered, any member may object to the moving of the motion, and such objection shall prevail, unless the President, in the exercise of his power to suspend this Standing Order, allows the motion to be made.”
- 24.** In Standing Order 75 for the words “ Governor General ” the word “ President ” shall be substituted.
- 25.** After Standing Order 75 the following Standing Order shall be added, namely :—
 “ 76. The President may, by order in writing, delegate to the Deputy President all or any of his powers under these Standing Orders.”
 Delegation of powers of President.

H. MONCRIEFF SMITH,
Secretary to the Government of India.

